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Held at Headquarters, New York, on Wednesday, 20 October 2010, at 10 a.m.

Chair: Mr. Tommo Monthe ..... (Cameroon)

Contents

Agenda item 68: Promotion and protection of human rights

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

(c) Human rights situations and reports of special rapporteurs and representatives

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10-59420 (E)

The meeting was called to order at 10.15 a.m.

Agenda item 68. Promotion and protection of human rights (*continued*) (A/65/36)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (A/65/87, A/65/119, A/65/156, A/65/162, A/65/171, A/65/207, A/65/222, A/65/223, A/65/224, A/65/227, A/65/227/Add.1, A/65/254, A/65/255, A/65/256, A/65/257, A/65/258, A/65/259, A/65/260 and Corr.1, A/65/261, A/65/263, A/65/273, A/65/274, A/65/280 and Corr.1, A/65/281, A/65/282, A/65/284, A/65/285, A/65/287, A/65/288, A/65/310, A/65/321, A/65/322, A/65/340 and A/65/369)

(c) Human rights situations and reports of special rapporteurs and representatives (A/65/331, A/65/364, A/65/367, A/65/368, A/65/370 and A/65/391)

1. **Ms. Pillay** (United Nations High Commissioner for Human Rights), introducing her annual report (A/65/36), which focused on the six thematic priorities of the strategic management plan of the Office of the High Commissioner for 2010-2011, said that the global financial and economic crises, conflicts, climate change and natural disasters had exposed the vulnerability of the most disadvantaged groups and led the Office of the High Commissioner (OHCHR) to give priority to the protection of their rights. In September 2010, the General Assembly had made the fight against poverty and disempowerment the central focus of its high-level meeting on the Millennium Development Goals and had reaffirmed in the outcome document of the meeting (A/65/L.1) that the protection of all human rights was essential to the achievement of development goals.

2. One of the most persistent obstacles to enjoyment of those rights was racial discrimination, which the Office of the High Commissioner was continuing to combat by providing technical assistance to States for the establishment of national action plans to put an end to it and by contributing to the 2010 session of the Working Group of Experts on People of African Descent. Particularly concerned about discrimination against migrants, it chaired the Global Migration Group, which had recently issued a statement on the human rights of migrants in an irregular situation. On the question of the elimination of discrimination against women, she welcomed the initiatives taken by the Human Rights Council and the General Assembly, particularly the establishment of UN-Women.

3. The protection of civilians in times of armed conflict was an essential component of peace and security. The Office of the High Commissioner accordingly made every effort, by its presence in the field and through its investigations, to combat impunity. It had thus cooperated with several independent fact-finding bodies, fielded rapid response missions and mobilized surge capacity in support of its own field presences, in Haiti and Kyrgyzstan in particular, and published a report on serious violations of human rights and humanitarian law in the Democratic Republic of the Congo between 1993 and 2003.

4. Where human rights mechanisms were concerned, the Office of the High Commissioner had continued to support the Human Rights Council and welcomed the fact that 127 countries had already participated in the universal periodic review process. It also continued to support the work of special procedures mandate holders and noted with satisfaction that the number of States that had issued standing invitations to them had increased. It nevertheless considered that the General Assembly and the Human Rights Council could urge States to cooperate more fully with those mechanisms and implement their recommendations more effectively. She hoped that the review of the work and status of the Council, in which a larger number of representatives of civil society and national and regional human rights organizations might usefully be involved, would provide the Council with the tools needed for it to discharge its mission. It would be desirable for the review to focus essentially on the way in which the Council's decisions were approved by the General Assembly and on the financial resources allocated to it. She welcomed the initiation of consultations on the strengthening of the treaty body system and said that treaty bodies should be given the financial means to fulfil their mandate.

5. Turning to the role of the United Nations system in the protection of human rights, she said that the action of the United Nations bodies should be concrete, unified and integrated into all the activities of the system. In that connection, she welcomed the establishment of the post of Assistant Secretary-General

for Human Rights in New York and the new human rights mainstreaming mechanism in the United Nations Development Group, which should strengthen cooperation and coordination between United Nations bodies in that area. She called on Member States to make voluntary contributions for the financing of its activities. The Office of the High Commissioner would continue to make every effort to mainstream the human rights perspective in the decisions taken at Headquarters and in the planning of activities and to ensure the effective implementation on the ground of the Universal Declaration of Human Rights.

6. **Mr. Butt** (Pakistan), commending the independence and integrity of the High Commissioner, said that his country supported the strategic priorities of her Office. The Human Rights Council was hampered in its mission not by the inadequacy of the tools available to it, but by a lack of political will to use them impartially. He wondered whether the current method for selecting special procedures mandate holders should not be improved, in particular by submitting the three main candidates to an interview with the Consultative Group. In addition, the new mandate holders should be reminded of their obligation to comply scrupulously with their mandate and with the Code of Conduct. He wished to know what measures the High Commissioner was intending to take to combat discrimination based on religion and to remedy the under-representation of developing countries within her Office. He asked, lastly, why she had not commented on the continuing human rights violations in Jammu and Kashmir; the Secretary-General himself had demanded that they should cease.

7. **Ms. Horsington** (Australia) agreed that the protection of the rights of civilians depended on respect for each person's human rights. Australia had actively sought clarification of the mandates of the peacekeeping missions of the United Nations and the African Union with regard to the protection of civilians and the establishment of guidelines in that area. She asked the High Commissioner how she was planning to integrate human rights protection into peacekeeping and peacebuilding missions. She also wished to know what the priorities should be for the review of the status of the Human Rights Council and how national and regional human rights organizations and civil society could contribute more to that review and, more generally, to the work of the Council.

8. **Ms. Morgan Sotomayor** (Mexico) said that her country, which attached great importance to the review of the Human Rights Council, had set up an informal group to consider how the Council's action could be improved. She wished to know the High Commissioner's views on how the Council could strengthen human rights mechanisms, particularly for ensuring the follow-up to its recommendations. Thanking the High-Commissioner for her action in support of the rights of migrants and expressing the conviction that the High Commissioner's participation in the forum on immigration and development to be held in Mexico in November would be crucial, she asked what further measures could be taken by the United Nations to highlight the importance of protecting those rights and how more countries could be induced to become parties to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

9. **Mr. Lukiyantsev** (Russian Federation) said that the Assistant Secretary-General for Human Rights should help to ensure that the views of intergovernmental bodies at Headquarters, in particular the Third Committee, were reflected in the work of the Office of the High Commissioner. Human rights were important for achieving the Millennium Development Goals, but the Office of the High Commissioner should take care not to make development assistance conditional on political demands, in particular with regard to human rights. As for strengthening the Office's presence in the field, he wondered whether the High Commissioner felt it was time to hold intergovernmental consultations, perhaps in the framework of the Human Rights Council, in order to lay down rules for the establishment, deployment and activities of the missions in question. The review of the Human Rights Council was an intergovernmental process that should be aimed at improving the Council's operation. On the question of the status of the Council, one of the main provisions of General Assembly resolution 60/251 should be borne in mind, concerning the transfer to the Council of the responsibilities of the Commission on Human Rights in respect of the activities of the Office of the High Commissioner. The Russian Federation wished to know what exactly the High Commissioner had meant when she said how important it was for the Council to have at its disposal appropriate and effective tools enabling it to react in both chronic and urgent human rights situations. His delegation wondered, lastly, what were